

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL KOCH,

Plaintiff,

v.

THE LAW FIRM OF SCHEMERY
ZICOLELLO, *et al.*,

Defendants.

No. 4:19-CV-00361

(Judge Brann)

(Magistrate Judge Mehalchick)

ORDER

SEPTEMBER 22, 2020

Michael Koch filed this 42 U.S.C. § 1983 complaint alleging that numerous individuals violated his civil rights.¹ On September 24, 2019, Magistrate Judge Karoline Mehalchick granted Koch's motion to proceed *in forma pauperis*, but found the complaint deficient in several respects and ordered that he file an amended complaint within 30 days.² More than thirty days elapsed and Koch did not file an amended complaint. Consequently, on August 21, 2020, Magistrate Judge Mehalchick issued a Report and Recommendation recommending that this Court dismiss Koch's complaint with prejudice for failure to state a claim and close this case.³ No timely objections were filed to this recommendation.

¹ Doc. 1.

² Doc. 12.

³ Doc. 15.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.⁴ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.⁵ Upon review of the record, the Court finds no clear error, clear or otherwise, in Magistrate Judge Mehalchick's recommendation. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Karoline Mehalchick's Report and Recommendation (Doc. 15) is **ADOPTED**;
2. Koch's complaint is **DISMISSED** with prejudice; and
3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

⁴ FED. R. CIV. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

⁵ 28 U.S.C. § 636(b)(1); Local Rule 72.31.